

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LAURIE BOYER)
)
and)
) CASENO: 4:11CV01173 HEA
PATRICIA SUSAN BOYER)
)
Plaintiffs,)
)
v.)
)
SCOTT BROTHERS INVESTMENT)
CORPORATION, *d/b/a Waterways*)
Apartments of Lake St. Louis.)
)
Defendant.)

DEFENDANT'S MOTION FOR STATUS HEARING

COMES NOW Defendant Scott Brothers Investment Corporation and respectfully requests this Honorable Court set this matter for a mandatory status hearing. Defendant further requests that the Court order Plaintiffs Laurie Boyer and Patricia Susan Boyer to appear in person, along with their respective attorneys if Plaintiffs procure counsel.

1. On March 20, 2013 this Court ordered the parties to comply with a case management scheduling plan.
2. This plan gave discovery and disclosure deadlines.
3. Plaintiffs took no action in response to this Order, despite their previous representation to this Court.
4. This action is set for jury trial on May 5, 2014.
5. Defendant requests the Court order a mandatory status hearing in order to discuss upcoming trial issues, including but not limited to the following: jury instructions, length of trial, designated experts, and exhibits.

6. Without this information, the parties will be unable to comply with the scheduling plan Part (II): Order Relating to Trial, requiring stipulation, witness lists, exhibits, and opposition to discovery, all which must take place at least ten days before trial.
7. This request is made for the benefit of all parties, not to harass or unduly burden any party and in a good faith effort to get this matter resolved prior to any party incurring unnecessary legal fees.
8. Defendant requests both Plaintiffs be ordered to appear.

WHEREFORE, Defendant requests its Motion for Status Hearing be granted, that the Court order each Plaintiff and their respective attorneys to attend if applicable, and for such other relief as this Court deems just and proper.

RESPECTFULLY SUBMITTED,
REINKER, HAMILTON, & PIPER, L.L.C.

/s/ Curtis Niewald

Randall J. Reinker # 36994MO

Curtis J. Niewald, #64061MO

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served by prepaid U.S. Mail on all parties of record in this cause, on this 17th day of March, 2014.

/S/Curtis J. Niewald